

To: CN=Fred Hauchman/OU=DC/O=USEPA/C=US@EPA[]
From: CN=Ramona Trovato/OU=DC/O=USEPA/C=US
Sent: Wed 5/23/2012 12:51:26 PM
Subject: Re: Pavillion Peer Review
<http://www.whitehouse.gov/sites/default/files/omb/memoranda/fy2005/m05-03.pdf>
(embedded image)

Thanks Fred. Please confirm with OGC.

----- Original Message -----

From: Fred Hauchman
Sent: 05/22/2012 07:05 PM EDT
To: Bob Sussman
Cc: Brendan Gilfillan; Glenn Paulson; Jim Martin; Lek Kadelii; Ramona Trovato
Subject: Re: Pavillion Peer Review

I spoke with John Corra this evening. A potential reviewer from Wyoming had contacted him to express concern about the "Conflict of Interest Analysis and Certification Form" -- specifically items "J" and "K" in the attached form. Curiously, the version of this form that I sent to you earlier (which came from ERG in December) ended at "I." John said that potential reviewers could be intimidated by the prospect of having to disclose assets (J) and liabilities (K) if this very personal information could be released publicly in the event of a FOIA.

I confirmed with Kate from ERG that including the questions about assets and liabilities is a standard practice in determining real or potential COI, just as it is with our screening processes for the BOSC and SAB. Kate's understanding is that this information cannot be withheld if it is FOIA'd. I assume this is correct and can check with OGC to confirm, unless any of you can verify.

I told John that I would get back to him tomorrow about the "J" and "K" issue.
Fred

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From: Bob Sussman/DC/USEPA/US
To: Fred Hauchman/DC/USEPA/US@EPA
Cc: Brendan Gilfillan/DC/USEPA/US@EPA, Glenn Paulson/DC/USEPA/US@EPA, Jim Martin/R8/USEPA/US@EPA, Lek Kadelii/DC/USEPA/US@EPA, Ramona Trovato/DC/USEPA/US@EPA
Date: 05/22/2012 09:49 AM
Subject: Re: Pavillion Peer Review

thanks for responding quickly, fred.

After you talk to ERG, could you call John back and explain the process to him? I agree that the questions shouldn't be that onerous. Maybe they're being described to him second-hand.

Robert M. Sussman
Senior Policy Counsel to the Administrator
Office of the Administrator
US Environmental Protection Agency

From: Fred Hauchman/DC/USEPA/US
To: Bob Sussman/DC/USEPA/US@EPA
Cc: Brendan Gilfillan/DC/USEPA/US@EPA, Glenn Paulson/DC/USEPA/US@EPA, Jim Martin/R8/USEPA/US@EPA, Lek Kadeli/DC/USEPA/US@EPA, Ramona Trovato/DC/USEPA/US@EPA
Date: 05/22/2012 09:43 AM
Subject: Re: Pavillion Peer Review

Bob,

The COI determinations are in the hands of the contractor, ERG, which has extensive experience running peer reviews for the Agency. The COI Analysis and Certification questions that they use (attached) are standard. In a recent communication, A couple weeks ago, ERG sent the attached set of examples of actual or potential COI to the reviewers to assist them in responding to the COI questions. ERG's recent message also included a link to the OMB Bulletin (<http://www.whitehouse.gov/sites/default/files/omb/memoranda/fy2005/m05-03.pdf>), which highlights the importance of transparency and avoiding COI in the peer review process.

I'm not sure what John means by asking for "flexibility" in answering the questions. The questions seem very straightforward and reasonable to me.

I left a message with ERG to find out if there is anything I may have missed. Will let you know.

[attachment "COI Analysis_Hydraulic Fracturing.doc" deleted by Fred Hauchman/DC/USEPA/US] [attachment "Final_COI Examples.doc" deleted by Fred Hauchman/DC/USEPA/US]

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From: Bob Sussman/DC/USEPA/US
To: Fred Hauchman/DC/USEPA/US@EPA, Ramona Trovato/DC/USEPA/US@EPA, Lek Kadeli/DC/USEPA/US@EPA, Jim Martin/R8/USEPA/US@EPA
Cc: Brendan Gilfillan/DC/USEPA/US@EPA, Glenn Paulson/DC/USEPA/US@EPA
Date: 05/21/2012 06:24 PM
Subject: Pavillion Peer Review

John Corra of Wyoming DEP called me to discuss the conflict of interest questionnaire that we are using to vet candidates for the peer review panel on the Pavillion study. He said that some of the questions on the financial holdings of spouses and siblings seemed very broad, particularly in light of the statement in the questionnaire that information provided would be disclosed under FOIA. John wanted to know whether these are standard questions or whether we are seeking more detail in connection with this peer review process. He also wanted to know whether there was any flexibility in answering these questions.

I told John I would look into his issues and get back to him. Can you give me your thoughts on what to say to John? I may ask Fred or someone else from ORD to respond to him directly..

Robert M. Sussman
Senior Policy Counsel to the Administrator
Office of the Administrator
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